IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL NO.669 OF 2001

IN

WRIT PETITION NO.802 OF 2000

Voltas Employees Union ...Appellants

v/s

Voltas Ltd. ...Respondents

Mr A. Shaikh for Appellants.

Mr C.U. Singh with Ms C. Salgaonkar i/b M/s Salgaonkar and Co. for Respondents.

CORAM : D.K. DESHMUKH AND J.H. BHATIA J J.

DATE : 28TH AUGUST 2007.

P.C. :-

1. By consent of the parties, appeal is disposed off in following terms.

> 1. The order of the Industrial Court which was challenged in writ petition No.802 of 2000 as also the order passed by the learned Single Judge in writ petition No.802 of 2000 which is challenged in this appeal are both set aside. The matter is remitted back to the Industrial Court for hearing and decision in accordance with law and the directions contained in this order. It is common ground before us that there is need for increasing the rates of the items that are being served in the canteen which is subject matter of these proceedings. The dispute between the parties is to what extent the increase should be ordered ? and what are the factors to be taken into consideration for deciding the extent of the increase ?
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> 2. Within a period of four weeks from today, the respondents shall file a chart of rates that they propose to charge in the

canteen for various items. Alongwith the chart, the respondents shall furnish entire material that was taken into consideration by the respondents for arriving at those rates together with the reasons. A copy shall be first served on the appellants and then it shall be filed before the Industrial Court.

3. Within a period of four weeks from the date of receipt of the chart and the material produced by the respondents, the appellants will submit their reply with all supporting documents. The reply shall be filed after serving copy of it on the respondents.

4. The Industrial Court shall thereafter hear the parties and make an order fixing the rates of various items served in the canteen in accordance with law.

5. The learned counsel appearing for appellants has stated before us that as the rates are being fixed after granting an opportunity of being heard to the appellants, the appellants will not insist on any notice of change being given for varying the rates of the items that are served in the canteen.

6. Till the Industrial Court makes the order, the items in the canteen which is subject matter of this appeal, shall continue to be served at the rates at which they are being presently served pursuant to the interim order dated 5th September 2001 passed in this appeal.

7. The Industrial Court shall pass the final order, as both the sides have agreed not to seek adjournment, as expeditiously as possible and in any case within a period of six months from the date on which the parties complete pleadings.

. Appeal is disposed off with no order as to costs.

. Parties to act on the copy of this order duly authenticated by the Associate / Private Secretary as true copy.

. Certified copy expedited.

(D.K. DESHMUKH J.)

(J.H. BHATIA J.)